

RECEIVED

EXPRESS MAIL LABEL NO.: EV980042854US
DATE: June 13, 2007

13 JUN 2007

Legal Staff
International Division

PATENT
TEVBNP 3.3-167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :
Goller et al. :

U.S. Application o.: 10/578,233 : Group Art Unit: Not Yet Assigned

International Application No. :
PCT/US2004/036477 :

International Filing Date: November 3, 2004 : Examiner: Not Yet Assigned

For: SOFT STEROID COMPOSITIONS : Date: June 13, 2007
FOR USE IN DRY POWDER :
INHALERS :

MS PCT :
Commissioner for Patents :
Office of PCT Legal Admin. :
P.O. Box 1450 :
Alexandria, VA 22313-1450 :

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) AND
PETITION UNDER 37 C.F.R. § 1.47(a)

Sir:

This is in response to the Notification Of Missing Requirements under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US), dated November 13, 2006. A copy of the Notification is enclosed.

The present patent application names Michael I. Goller, Qi Li, Jade Ly, Mohammed Nurul Momin, Katherine Salas, Anayo Michael Ukeje, Ramesh Yanamandra and Xian-Ming Zeng as co-inventors. Statutory Declarations under 37 C.F.R. § 1.63, executed by Michael I. Goller, Jade Ly, Mohammed Nurul Momin, and Xian-Ming Zeng, are enclosed herewith. In accordance with MPEP § 409.03(a), the Declaration contains a signature block for all eight inventors. Co-Inventors Qi Li, Katherine Salas, Anayo Michael Ukeje, and Ramesh Yanamandra have not executed the enclosed declaration. Thus, Applicants respectfully submit the following information and documentation in support of this Petition Under 37 CFR § 1.47(a).

Pursuant to 37 C.F.R. § 1.47(a), the last known address of the non-signing inventors is as follows:

Qi Li, 7305 SW 129TH Street, Pincrest, Florida, 33156, United States of America

Katherine Salas, 1930 Collins Avenue, Apt. 217C, Sunny Isles Beach, Florida 33160, United States of America

Anayo Michael Ukeje, 9 Nursery Close, Putney, London. SW15 6AS, United Kingdom

Ramesh Yanamandra, 34 Devon Drive, Chandlers Ford, Eastleigh, Hampshire SO53 3GN

The enclosed Exhibit A is an Affidavit of Samantha Claire Radley, Patent Administrator for Norton Healthcare Limited (the assignee of the present patent application), which states the facts relating to the diligent attempts she has made to obtain the signature of inventor Qi Li. In her Affidavit, Ms. Radley explains that on two separate occasions, she mailed to Qi Li, at his/her last known address, the application papers as filed, including the specification, drawings and claims. The Affidavit also sets forth the attempts she has made to locate Qi Li, including, re-mailing of the application papers, and contact with co-inventor Jade Ly. All attempts to locate and obtain the signature of Qi Li failed.

The enclosed Exhibit B is another Affidavit of Samantha Claire Radley, which states the facts relating to the diligent attempts she has made to obtain the signature of inventor Katherine Salas. In her Affidavit, Ms. Radley explains that on two separate occasions, she mailed to Ms. Salas, at her last known address, the application papers as filed, including the specification, drawings and claims. The Affidavit also sets forth the attempts made she made to locate Ms. Salas, including re-mailing of the application papers, and internet searches. All attempts to locate and obtain the signature of Ms. Salas failed.

The enclosed Exhibit C is another Affidavit of Samantha Claire Radley, which states the facts relating to the diligent attempts she has made to obtain the signature of inventor Anayo Ukeje. In her Affidavit, Ms. Radley explains that on two separate occasions, she mailed to Anayo Ukeje, at her/her last known address, the application papers as filed, including the specification, drawings and claims. The Affidavit also sets forth the attempts made she made to locate Anayo Ukeje, including re-mailing of the application papers, internet searches and contact with the

Human Resources department of the assignee, Norton Healthcare Limited. All attempts to locate and obtain the signature of Anayo Ukeje failed.

The enclosed Exhibit D is another Affidavit of Samantha Claire Radley, which states the facts relating to the diligent attempts she has made to obtain the signature of inventor Ramesh Yanamandra. In her Affidavit, Ms. Radley explains that on two separate occasions, she mailed to Ramesh Yanamandra, at her/her last known address, the application papers as filed, including the specification, drawings and claims. The Affidavit also sets forth the attempts made she made to locate Ramesh Yanamandra, including re-mailing of the application papers, internet searches and contact with the Human Resources department of the assignee, Norton Healthcare Limited. All attempts to locate and obtain the signature of Ramesh Yanamandra failed.

The four Affidavits of Samantha Claire Radley are believed to establish that diligent efforts were made to contact the inventors and obtain their signatures on the Declaration.

It is respectfully submitted that the present Response and Petition, together with the documentation enclosed herewith, meet the requirements of 37 C.F.R. § 1.47(a). Acceptance of the captioned patent application under 37 C.F.R. § 1.47 is respectfully requested.

Further enclosed herewith is a Petition for extension of time to respond to the Notification Of Missing Requirements under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US).

The Commissioner is hereby authorized to charge to our Deposit Account No. 12-1095: the petition fee pursuant to Rule 1.17(h) for the present Rule 47(a) Petition (\$130.00). In the event that any other fees are due in connection with this present petition, the Commissioner is hereby authorized to charge Deposit Account No. 12-1095 therefor.

Respectfully submitted,

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP


SHAWN P. FOLEY
Reg. No. 33,071

600 South Avenue West
Westfield, New Jersey 07090
Telephone: (908) 654-5000
Facsimile: (908) 654-7866
775269_1.DOC



UNITED STATES PATENT AND TRADEMARK OFFICE

RMP

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/578,233	Michael I. Goller	TEVBNP33167
		INTERNATIONAL APPLICATION NO.
		PCT/US04/36477
I.A. FILING DATE		PRIORITY DATE
11/03/2004		11/03/2003
CONFIRMATION NO. 7537		
371 FORMALITIES LETTER		
 *OC000000021195326*		

DUE
13 JAZ 2007
COLL

Date Mailed: 11/13/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/03/2006
- Copy of the International Search Report filed on 05/03/2006
- Information Disclosure Statements filed on 05/03/2006
- U.S. Basic National Fees filed on 05/03/2006
- Priority Documents filed on 05/03/2006

LDLK & M

NOV 15 2006

RECEIVED

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$450 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$580** for a Large Entity:

- \$130 Surcharge.
- Total additional claim fee(s) for this application is \$ 450
 - \$450 for 76 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/578,233	PCT/US04/36477	TEVBNP33167

FORM PCT/DO/EO/905 (371 Formalities Notice)

Please type a plus sign (+) inside this box



Approved for use through 10/21/2002. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration
Submitted
with Initial
Filing OR
 Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16(e))
required).

Attorney Docket Number	TEVBNP 3.3-187
First Named Inventor	Michael I. Goller
COMPLETE IF KNOWN	
Application Number	Not Yet Assigned
Filing Date	Concurrently Herewith
Group Art Unit	N/A
Examiner Name	Not Yet Assigned

As a below named Inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am an original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SOFT STEROID COMPOSITIONS FOR USE IN DRY POWDER INHALERS

(Title of the Invention)

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY) as United States Application Number or PCT International Application No. and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, Inventor's or plant breeder's rights certificate(s); or 365 (e) of any PCT International application which designated at least one, country other than the United States of America; listed below and have also identified below, by checking the box, any foreign application for patent, Inventor's or plant breeder's rights certificate(s), or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

Please type a plus sign (+) inside this box →

PTO/SB/01 (09-01)
Approved for use through 10/31/2002. GMB 0951-2032

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Customer Number 000530

Direct all correspondence to: Customer Number
or Bar Code Label: 000530 OR Correspondence address below

Name _____

Address _____

City _____

State _____

ZIP _____

Country _____

Telephone _____

Fax_____
(This section is for inventors who are not U.S. citizens.)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])	Michael I.	Family Name or Surname	Goller
Inventor's Signature	<i>M. I. Goller</i>		
Residence: City	London	State	United Kingdom
		Country	United Kingdom
Mailing Address:	84 Faringford Road Stratford		
City	London	State	E14 4DW
		Country	United Kingdom
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])	Qi	Family Name or Surname	Li
Inventor's Signature	<i>Pincrest</i>		
Residence: City	Pincrest	State	FL
		Country	United States of America
Mailing Address:	7305 SW 129th Street		
City	Pincrest	State	33156
		Country	United States of America

Additional inventors are being named on the 2 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

1.D-837

Please type a plus sign (+) inside this box

Approved for use through 10/31/2002 OMB 0551-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PTO/SB/01 (03-01)

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration Submitted with Initial Filing Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)
OR

Attorney Docket Number TEVBNP 3.3-167

First Named Inventor Michael I. Goller

COMPLETE IF KNOWN

Application Number Not Yet Assigned

Filing Date Concurrently Herewith

Group Art Unit N/A

Examiner Name Not Yet Assigned

As a below named Inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am an original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SOFT STEROID COMPOSITIONS FOR USE IN DRY POWDER INHALERS

(Title of the Invention)

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY) 11/03/2004 as United States Application Number or PCT International

Application No. PCT/US2004/036477 and was amended on (MM/DD/YYYY) _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available during the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION			ADDITIONAL INVENTOR(S) Supplemental Sheet	
			Page 1 of 2	
Name of Additional Joint Inventor, if any: <input type="checkbox"/> A petition has been filed for this unsigned inventor Given Name (first and middle (if any)) Jade Family Name or Surname Ly Inventor's Signature <i>Jade Ly</i> Date 8-9-06 Residence: City Cooper City State FL United States of America Citizenship People's Republic of China				
Mailing Address: 4740 Hibbs Grove Terrace				
City Cooper City		State FL	Zip 33330	Country United States of America
Name of Additional Joint Inventor, if any: <input type="checkbox"/> A petition has been filed for this unsigned inventor Given Name (first and middle (if any)) Mohammed Nurul Family Name or Surname Morin				
Inventor's Signature Residence: City London State United Kingdom Country United Kingdom			Date Citizenship	
Mailing Address: 19 Welstead House, Cannon Street Road				
City London		State	Zip E1 2LJ	Country United Kingdom
Name of Additional Joint Inventor, if any: <input type="checkbox"/> A petition has been filed for this unsigned inventor Given Name (first and middle (if any)) Katherine Family Name or Surname Salas				
Inventor's Signature Residence: City Sunny Isles Beach State FL United States of America Country US			Date Citizenship	
Mailing Address: 19370 Collins Avenue Apt. 217C				
City Sunny Isles Beach		State FL	Zip 33160	Country United States of America
Name of Additional Joint Inventor, if any: <input type="checkbox"/> A petition has been filed for this unsigned inventor Given Name (first and middle (if any)) Anayo Michael Family Name or Surname Ukeje				
Inventor's Signature Residence: City London State United Kingdom Country Nigeria			Date Citizenship	
Mailing Address: 9 Nursery Close Putney				
City London		State	Zip SW15 6AS	Country United Kingdom

Please type a plus sign (+) inside this box

PTO/SB/01 (03-01)

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration Submitted with Initial Filing Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required) OR

Attorney Docket Number	TEVBNP 3.3-167
First Named Inventor	Michael I. Goller
<u>COMPLETE IF KNOWN</u>	
Application Number	Not Yet Assigned
Filing Date	Concurrently Herewith
Group Art Unit	N/A
Examiner Name	Not Yet Assigned

As a below named Inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below and in my name

I believe I am an original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SOFT STEROID COMPOSITIONS FOR USE IN DRY POWDER INHALERS

(Title of the Invention)

The specification of what

is attached hereto

33
OR

X was filed on (MM/DD/YYYY) 11/03/2004 as United States Application Number or PCT International

Application No. **PCT/US2004/036477** and was amended on
(MM/DD/YYYY)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available during the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. (119)(a)-(d) or (f), or 365(b) of any foreign application(s) or patent application(s) filed in the United States or elsewhere prior to the filing date hereof and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

□ Application for priority is claimed.				
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO
			<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input checked="" type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION			ADDITIONAL INVENTOR(S) Supplemental Sheet
Page 1 of 2			
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Jade		Family Name or Surname Ly	
Inventor's Signature		Date	
Residence: City Cooper City	State FL	United States of America	People's Republic of China Citizenship
Mailing Address: 4740 Hibbs Grove Terrace			
City Cooper City	State FL	Zip 33330	United States of America County
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Mohammed Nurul		Family Name or Surname Mornin	
Inventor's Signature 		Date ← 22/08/06	
Residence: City London	State United Kingdom	Country	United Kingdom Citizenship
Mailing Address: 19 Welstead House, Cannon Street Road			
City London	State	Zip E1 2LJ	United Kingdom Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Katherine		Family Name or Surname Salas	
Inventor's Signature		Date	
Residence: City Sunny Isles Beach	State FL	United States of America	US Citizenship
Mailing Address: 19370 Collins Avenue Apt. 217C			
City Sunny Isles Beach	State	Zip 33160	United States of America Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Anayo Michael		Family Name or Surname Ukeje	
Inventor's Signature		Date	
Residence: City London	State	United Kingdom Country	Nigeria Citizenship
Mailing Address: 9 Nursery Close Putney			
City London	State	Zip SW15 6AS	United Kingdom Country

Please type a plus sign (+) inside this box → +

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration Submitted with Initial Filing Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)
OR

Attorney Docket Number TEVBNP 3.3-167

First Named Inventor Michael I. Goller

COMPLETE IF KNOWN

Application Number Not Yet Assigned

Filing Date Concurrently Herewith

Group Art Unit N/A

Examiner Name Not Yet Assigned

As a below named Inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am an original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SOFT STEROID COMPOSITIONS FOR USE IN DRY POWDER INHALERS

the specification of which

(Title of the Invention)

is attached hereto

OR

was filed on (MM/DD/YYYY) 11/03/2004 as United States Application Number or PCT International

Application No. PCT/US2004/036477 and was amended on (MM/DD/YYYY) _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(e)-(d) or (f), or 365(b) of any foreign application(s) for patent, Inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, Inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION			ADDITIONAL INVENTOR(S) Supplemental Sheet	
			Page 2 of 2	
Name of Additional Joint Inventor, if any:			<input type="checkbox"/> A petition has been filed for this unsigned Inventor	
Given Name (first and middle (if any)) Ramesh			Family Name or Surname Yanamandra	
Inventor's Signature			Date	
Residence: City	London	State	United Kingdom	Citizenship
Mailing Address:	15 Barry Road Beckton London United Kingdom E6 5TA Country United Kingdom			
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned Inventor
Given Name (first and middle (if any)) Xian-Ming			Family Name or Surname Zeng	
Inventor's Signature	<i>Xian-Ming</i>		Date <i>13 Oct 2006</i>	
Residence: City	Surrey	State	United Kingdom	Citizenship <i>People's Republic of China</i>
Mailing Address:	45 Hill Road Mitcham Surrey CR4 2HS United Kingdom			
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned Inventor
Given Name (first and middle (if any))			Family Name or Surname	
Inventor's Signature			Date	
Residence: City	State	Country	Citizenship	
Mailing Address:				
City	State	Zip	Country	
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned Inventor
Given Name (first and middle (if any))			Family Name or Surname	
Inventor's Signature			Date	
Residence: City	State	Country	Citizenship	
Mailing Address:				
City	State	Zip	Country	

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

RE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional)
FY 2006 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		TEVBNP 3.3-167
Application Number	10/578,233	Filed May 3, 2006
For SOFT STEROID COMPOSITIONS FOR USE IN DRY POWDER INHALERS		
Art Unit	N/A	Examiner _____
Not Yet Assigned		
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.		
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):		
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	<u>Fee</u>	<u>Small Entity Fee</u>
<input type="checkbox"/>	\$120	\$60
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795
<input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080
		\$ 2,160.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		
<input type="checkbox"/> A check in the amount of the fee is enclosed.		
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.		
<input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.		
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>12-1095</u> . I have enclosed a duplicate copy of this sheet.		
I am the <input type="checkbox"/> applicant/inventor.		
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).		
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>33,071</u>		
<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34		
<u><i>Shawn P. Foley</i></u> Signature		_____ <u>June 13, 2007</u> Date
Shawn P. Foley Typed or printed name		_____ <u>(908) 518-6346</u> Telephone Number
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.		
<input type="checkbox"/> Total of	1	forms are submitted.

RECEIVED

13 JUN 2007

Legal Staff
International Division

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below).

	<u>Fee</u>	<u>Small Entity Fee</u>	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____
<input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ 2,160.00

- Applicant claims small entity status. See 37 CFR 1.27.

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to
Deposit Account Number 12-1095 I have enclosed a duplicate copy of this sheet

I am the applicant/inventor

assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
 attorney or agent of record. Registration Number 33,071

attorney or agent under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34

June 13, 2007

Dato

(908) 518-6346

Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of 1 forms are submitted.

Express Mail Label No. EV980042854US Dated: June 12, 2007

COPY

PTO/SB/22 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2006 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		Docket Number (Optional) TEVBNP 3.3-167
Application Number	10/578,233	Filed May 3, 2006
For SOFT STEROID COMPOSITIONS FOR USE IN DRY POWDER INHALERS		
Art Unit	N/A	Examiner Not Yet Assigned
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.		
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):		
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	Fee \$120	Small Entity Fee \$60
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795
<input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080
		\$ 2,160.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		
<input type="checkbox"/> A check in the amount of the fee is enclosed.		
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.		
<input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.		
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required for credit any overpayment to Deposit Account Number <u>12-1095</u> . I have enclosed a duplicate copy of this sheet.		
I am the	<input type="checkbox"/> applicant/inventor.	
	<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).	
	<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>33,071</u>	
	<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34	
<u><i>Shawn P. Foley</i></u> Signature		June 13, 2007 Date
Shawn P. Foley Typed or printed name		(908) 518-6346 Telephone Number
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.		
<input type="checkbox"/>	Total of <u>1</u> forms are submitted.	

Express Mail Label No. EV980042854US Dated: June 12, 2007

PATENT
TEVBNP 3156
RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

13 JUN 2007

In re Patent Application of	:	Legal Staff International Division
Goller et al.	:	
U.S. Application o.: 10/578,233	:	Group Art Unit: Not Yet Assigned
International Application No.	:	
PCT/US2004/036477	:	
International Filing Date: November 3, 2004:	:	Examiner: Not Yet Assigned
For: SOFT STEROID COMPOSITIONS	:	Date: June 13, 2007
FOR USE IN DRY POWDER	:	
INHALERS	:	
	:	

MS PCT
Commissioner for Patents
Office of PCT Legal Admin.
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Charitta A. Burt

COMMUNICATION

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated November 13, 2006, (a copy of which is enclosed herewith), please note that upon review of the claims with Charitta A. Burt, it was determined that that Claim 8 and Claim 10 are improper and should not have been counted as a multiple dependent claims and the additional revised claim fee of \$150.00 is enclosed.

Accordingly, it is believed that this case is in good order. A preliminary amendment correcting the numbering will be submitted by applicant's attorney. If the Examiner has any questions concerning this matter, he is requested to call applicant's

attorney at (908) 654-5000: If there are any additional fees, please charge them to our
Deposit Account No. 12-1095.

Date: June 13, 2007

Respectfully submitted,

LERNER, DAVID, LITTENBERG,
KRMHOLZ & MENTLIK LLP

Shawn P. Foley
SHAWN P. FOLEY
Reg. No. 33,071

600 South Avenue West
Westfield, New Jersey 07090-1497
(908) 654-5000

EXPRESS MAIL LABEL NO.: EL980042854US

Filed on behalf of Norton Healthcare Limited
Deponent: S. C. Radley
First Affidavit of the Deponent
Date of Swearing: 8 June 2007
Exhibits: SR1-2

IN THE MATTER of United States Patent Application Number 10/578,233

AFFIDAVIT OF SAMANTHA CLAIRE RADLEY

I, SAMANTHA CLAIRE RADLEY, of 79a Gellatly Road, London SE14 5TU Patent Administrator, MAKE OATH and say as follows:

1. I am a Patent Administrator for Norton Healthcare Limited ("Norton") and I make this affidavit in support of Norton's United States patent application number 10/578,233 entitled "Soft Steroid Compositions for Use in Dry Powder Inhalers". In so far as the content of this affidavit is within my personal knowledge it is true, and so far as it is not within my personal knowledge it is true to the best of my knowledge information and belief.
2. On 3 August 2006, I sent a bundle of documents consisting of a Declaration for Utility or Design Patent Application, a copy of US Patent Application No. 10/578,233 and an Assignment of Utility Application form to 7305 SW 129th Street, Pinecrest, Florida 33156, U.S.A, the address of Qi Li detailed in the PCT application, PCT/US2004/036477. The documents were never returned to me at Norton Healthcare Ltd.
3. On 1st March 2007, I sent the bundle of documents described in paragraph 2 above to 7305 SW 129th Street, Pinecrest, Florida 33156, U.S.A by special delivery. The package was returned to me as Qi Li was unknown at the given address. I present the envelope and contents as Exhibit "SR1".
4. On the 18th May 2007, I asked Colleen Maroney of the US Law Firm Lerner David Littenberg Krumholz & Menklik to search for Qi Li. Colleen Maroney responded on the 24th May 2007 and advised that the address for Qi Li was the same as that shown on the PCT application but as the package described in paragraph 3 was returned to me, Qi Li had moved without changing the details. I present the email of 24th May 2007 as Exhibit "SR2".
5. On 6th June 2007, I spoke to another of the named inventors, Jade Ly, who confirmed that Qi Li had moved away from the address detailed in paragraph 3 but she did not know his current address.
6. It is my belief that I cannot contact Qi Li to obtain his signature at this time.

Sworn at 62-65
CHANDOS PLACE
LONDON ENGLAND
WC2N 4LP
this 8 day of
JUNE 2007

S Radley.

Signature of Deponent making the Affidavit

Before me,

KIRSTEN JANET DUNLOP
SOLICITOR
.....

WDunlop

Signature of Authorised Witness

Shepherd and Wedderburn LLP
Condor House
10 St. Paul's Churchyard
LONDON
EC4M 8AL

IN THE MATTER of United States Patent Application Number 10/578,233

EXHIBIT SRI TO THE
AFFIDAVIT OF SAMANTHA CLAIRE RADLEY

S. Radley.
SAMANTHA CLAIRE RADLEY

W. Dunnigan
PRACTISING SOLICITOR



Albert Basin, Royal Docks
London E16 2QJ

Telephone 08705 02 03 04
Fax 08705 32 33 34

Qi Li
7305 SW 129th Street
Pinecrest
Florida 33156
U.S.A.

1st March 2007

Dear Qi,

**RE: US National Phase of PCT/2004/36477 for
SOFT STEROID COMPOSITIONS FOR USE IN DRY POWDER INHALERS
in the name of Norton Healthcare Limited**

Please find enclosed a declaration for use in the prosecution of the above United States patent application by Norton Healthcare Limited.

Please can you sign and date the declaration where indicated and return it to me at the below address as quickly as possible.

Thanks for your help.

Yours sincerely

Mrs Samantha Radley
Patent Administrator
Teva Europe Patent Department
3rd Floor
Brookmount House
62-65 Chandos Place
London WC2N 4LP
Tel: 020 7540 7242
Fax: 020 7540 7029
email: samantha.radley@tevaeu.com

Please type a plus sign (+) inside this box

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)		Attorney Docket Number	TEVBNP 3.3-167
		First Named Inventor	Michael I. Goller
COMPLETE IF KNOWN			
		Application Number	Not Yet Assigned
		Filing Date	Concurrently Herewith
		Group Art Unit	N/A
		Examiner Name	Not Yet Assigned

As a below named Inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am an original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SOFT STEROID COMPOSITIONS FOR USE IN DRY POWDER INHALERS

(Title of the Invention)

the specification of which

 is attached hereto

OR

 was filed on (MM/DD/YYYY) 11/03/2004 as United States Application Number or PCT InternationalApplication No. PCT/US2004/036477 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (l), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

Please type a plus sign (+) inside this box →

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number 000530

Direct all correspondence to:		<input checked="" type="checkbox"/> Customer Number or Bar Code Label	000530	OR <input type="checkbox"/> Correspondence address below
Name				
Address				
City		State	ZIP	
Country		Telephone	Email	
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>				
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Michael I.	Family Name or Surname	Goller
Inventor's Signature		Date		
Residence: City	London	United Kingdom Country	United Kingdom Citizenship	
Mailing Address:	84 Faringford Road Stratford			
City	London	State	ZIP	United Kingdom Country
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Qi	Family Name or Surname	Li
Inventor's Signature		Date		
Residence: City	Pincrest	FL State	United States of America	US Citizenship
Mailing Address:	7305 SW 129th Street			
City	Pincrest	FL State	ZIP	United States of America Country
<input type="checkbox"/> Additional inventors are being named on the <u>2</u> supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.				